



Atty. Dkt. No. 060641-0113

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yasufumi KIKUCHI et al.
Title: HUMANIZED ANTI-CD47
ANTIBODY
Appl. No.: 10/578,840
International Filing Date: 11/11/2004
371(c) Date: 02/16/07
Examiner: Maher M. Haddad
Art Unit: 1644
Confirmation Number: 2215

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action mailed October 08, 2008, Applicants hereby provisionally elect for examination, with traverse, Group I, Claims 1-16 and 21-22, drawn to a humanized antibody binding to CD47 and a therapeutic agent thereof.

In response to the election of species requirement, Applicants elect SEQ ID NO:73 (the humanized MABL-2 antibody HL5) to serve as a starting point for the Examiner's search. Applicants additionally elect the sequence of amino acids 24-39 (CDR1), the sequence of amino acids 50-66 (CDR2) and the sequence of amino acids 99-106 (CDR3) of SEQ ID NO: 7 as the heavy chain variable region sequence. Applicants elect the sequence of amino acids 24-39 (CDR1), the sequence of amino acids 55-61 (CDR2) and the sequence of

amino acids 94-102 (CDR3) of SEQ ID NO: 37 as the light chain variable region sequence. Claims 1-4, 6-9, 12, 13, 21 and 22 read upon this species.

This species election is made with traverse, as all sequences in the specification referring to CDRs have a common basis in binding CD47. Applicants understand that upon identification of allowable subject matter in generic or linking claims, additional species will be examined.

Receipt of the initial Office Action on the merits is awaited.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extension fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date December 8, 2008

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